

## **DETAILED ACTION**

### **Response to Amendment**

1. Applicant's amendment, filed on February 05, 2009 has been considered and entered in full.
2. Applicant's amendments to the drawings have been entered and are persuasive; therefore objections on the respective drawings have been withdrawn.
3. Applicant's amendments to the claims have been considered and are persuasive; therefore all the rejections on the respective claims have been withdrawn.

### ***Allowable Subject Matter***

#### **Reasons of Allowance:**

4. Claims 1-7 and 9-24 (renumbered as 1-23) are allowed.

The following is an examiner's statement of reasons of allowance:

The reasons of allowance for claims 1, 14 and 18 should be evident from the previous office action mailed on 11/06/2008. Upon further analyses of claim 1 and also discussed with applicant's attorney of record, Mr. Cheng-Kang Hsu, Registration No. 61,007 in an interview on 03/25/2009, examiner here asserts claim 1 which is a method/process claim contains an inherent machine or apparatus that performs the process because claim 1 recites "replacing the pixels of the detected foreground separators by pixels having the background property" and since pixels being digital elements, replacing of digital elements can only be done using a machine or apparatus. Therefore claims 1, 14 and 18 are allowed. All other claims depending on claims 1, 14 and 18 are allowable at least by dependency on claims 1, 14 and 18.

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Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Manav Seth whose telephone number is (571) 272-7456. The examiner can normally be reached on Monday to Friday from 8:30 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matt Bella, can be reached on (571) 272-7778. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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/Manav Seth/  
Examiner, Art Unit 2624  
March 25, 2009

/Matthew C Bella/  
Supervisory Patent Examiner, Art Unit  
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